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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,648	08/01/2003	Duane S. Taylor	60046.0047US01	2750

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HOPE BALDAUFF HARTMAN, LLC
P.O. BOX 2825
ATLANTA, GA 30301

EXAMINER

ELAMIN, ABDELMONIEM I

ART UNIT PAPER NUMBER

2116

DATE MAILED: 12/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/632,648

Applicant(s)

TAYLOR, DUANE S.

Examiner

A Elamin

Art Unit

2116

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 August 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1- 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Khatri et al, US. Pat. No. 6,721,883.

3. Claims 1, 6-7, Khatri teaches a method for specifying a boot order for a plurality of mass storage devices within a computer system [*title, abstract*], the method comprising:

providing a single user interface menu through which the boot order for the computer system may be specified by arranging in order identifiers corresponding to each of the plurality of mass storage devices [*col. 2, lines 4-19, the menu 302 of Fig. 3*]; and

attempting to boot the computer system from the plurality of mass storage devices in the specified order [*abstract, col. 4, lines 49-51*].

4. Claims 2, Khatri teaches each of the plurality of mass storage devices may be one of a plurality of mass storage device types and wherein the mass storage devices may be arranged in any order regardless of device type [*see menu 302 of Fig. 3*].

5. Claims 3, Khatri teaches the mass storage device types comprise fixed disk mass storage devices, removable media mass storage devices, and optical disk mass storage devices [*col. 1, lines 14-17*].

6. Claims 4, Khatri teaches the identifiers comprise device names obtained from the plurality of mass storage devices [*see menu 302 of Fig. 3, col. 4, lines 51-53*].

7. Claims 5, Khatri teaches the computer system further comprises a basic input/output system (BIOS), wherein the single user interface menu is provided by the BIOS, and wherein the BIOS is operative to attempt to boot the computer system from the mass storage devices in the specified order [*Fig. 2 and related disclosure*].

8. Claims 8, 13-15, 17-18, Khatri teaches determining for each of the plurality of mass storage device types whether more than one mass storage device exists of the device type within the computer system [*col. 5, lines 6-7*]; providing a device type menu for each of the mass storage device types for which more than one mass storage device exists within the computer system, the device type menu including menu items corresponding to each of mass storage devices of the device type, and the menu items of each device type menu being orderable to specify the boot order for devices of the device type; providing a boot order menu including one or more menu items, the menu items comprising either a menu item corresponding to a mass storage device type wherein more than one device of the device type exists or a menu item corresponding to the mass storage device for each of the mass storage devices types for which only one device of the type exists, and the menu items of the boot order menu being orderable to specify the boot order for the computer system [*Fig. 3, col. 4, line 64 thru col. 5, line 25*].

9. Claim 9, Khatri teaches the menu items of the boot order menu corresponding to a mass storage device comprise device names obtained from the plurality of mass storage devices [*see menu 302 of Fig. 3, col. 4, lines 51-53*].

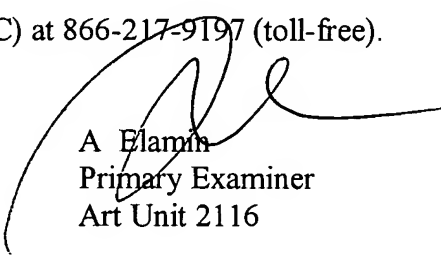
10. Claim 10, Khatri teaches the menu items of the boot order menu corresponding to a mass storage device type comprise a moniker generically describing the mass storage device type [*Fig. 3*].
11. Claim 11, Khatri teaches the mass storage device types comprise fixed disk mass storage devices, removable media mass storage devices, and optical disk mass storage devices [*col. 1, lines 14-17*].
12. Claim 12, Khatri teaches the computer system further comprises a basic input/output system (BIOS), wherein the device type menus and the boot order menu are provided by the BIOS, and wherein the BIOS is operative to attempt to boot the computer system from the mass storage devices in the specified order [*Fig. 2 and related disclosure*].
13. Claim 16, Khatri teaches the boot order of the mass storage devices within the computer system may be specified in either the first mode of operation or the second mode of operation depending upon a user made selection [*Fig. 3, col. 4, line 64 thru col. 5, line 25*].

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to A Elamin whose telephone number is (571) 272-3674. The examiner can normally be reached on MON-FRI 9:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Browne can be reached on (571) 272-3670. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



A. Elamin
Primary Examiner
Art Unit 2116

December 11, 2005